REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	14 December 2000
Name of applicant/court:	The District Court at Wellington
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Pic35_30
Other Known Titles:	Pic35_30.jpg
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Not Applicable
Author:	Not Applicable
Format:	Computer Printout
Country of Origin:	Not Applicable
Language:	Not Applicable

● ●

Components of film originally examined: Not Applicable.

Feature:	Running time:
Trailers:	Running time:
	Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

… Please turn over

Classification Decision:

Unrestricted

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

● ●

Direction to issue a label has been given on: Not Applicable.

● ●

SUMMARY OF THE REASONS FOR DECISION:

The publication entitled *Pic35_30* is classified as:
Unrestricted.

The publication is a computer printout of a black and white photograph, printed on an A4-size sheet of white paper. The computer printout presents an image of a naked boy, aged approximately 11 to 12 years old. The nudity of the subject – for which there is little or no context – is the main focus of the image. The Classification Office is of the opinion that the publication exploits the nudity of children to a limited extent and degree.

The impact of the medium in which the publication is presented, and the likely purpose for which it is intended to be used, tends to encourage a sexual reading of the image, particularly as the publication was submitted along with other computer printouts that explicitly depict children and young persons engaging in sexual activity. However, there is ambiguity in the reading of the image, brought about largely because neither the boy's genitals nor his buttocks are visible. When full weight is accorded to the relevant provisions of the New Zealand Bill of Rights Act 1990 (NZBR Act), the ambiguous nature of the publication is such that it would not be a justifiable limitation to the rights and freedoms outlined in s14 of the NZBR Act to give the publication an objectionable or restricted classification.

OFLC Ref: 1350